

ACT 152

H.B. NO.

HOUSE OF REPRESENTATIVES
TWENTIETH LEGISLATURE, 2000
STATE OF HAWAII

2835
H.D. 2
S.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO WATERSHED PROTECTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Findings and purpose. The legislature finds
2 that Hawaii's forests function as critical watersheds and are the
3 primary source of fresh water for the islands. Hawaii's native
4 forests in particular have evolved into efficient ecosystems that
5 capture and store appreciably more water than any other natural
6 milieu. The forested watersheds, both native and non-native, are
7 vital recharge areas for Hawaii's underground aquifers and a
8 dependable source of clean water for its streams.

9 The legislature finds that the relationship of Hawaii's
10 forested uplands to a dependable supply of clean fresh water was
11 recognized over a century ago. During that period, public and
12 private interests recognized that years of extensive cattle
13 grazing and other land use practices contributed significantly to
14 the degradation of the forests. Public and private concerns
15 about water supply and quality were the impetus for placing the
16 forests into reserves and undertaking massive reforestation at
17 the turn of the century. The legislature finds that since then,
18 public and private investment in watershed protection and
19 management has increasingly diminished and, once again, our
20 forested watersheds are steadily degrading. Moreover, over the

1 last one hundred years, Hawaii has lost half of its native
2 forests.

3 The legislature recognizes that fresh water is not an
4 infinite resource and that its high quality, quantity, and
5 sustainability are essentially linked to the existence of
6 forested watersheds. The legislature finds that there are
7 presently approximately two million acres of major watershed
8 areas statewide.

9 The purpose of this bill is to establish a watershed
10 protection board to develop a watershed protection master plan to
11 provide for the protection, preservation, and enhancement of
12 important watershed areas. The master plan shall include
13 potential watershed protection projects, implementation plan,
14 including funding sources, including but not limited to
15 appropriations, assessments, contributions, grants, and donations
16 from public and private sources.

17 SECTION 2. Watershed protection board; established. There
18 is established under the department of land and natural resources
19 a watershed protection board. The board shall consist of seven
20 members, including the chairperson of the board of agriculture or
21 ~~a designated representative, and a representative from the U.S.~~
22 military. Each county water agency shall appoint a member to the
23 board. The chairperson of the board of land and natural

1 resources or a designated representative shall serve as
2 chairperson and as an ex officio voting member of the board.

3 SECTION 3. Watershed protection board; powers and duties.

4 The board shall develop a watershed protection master plan to
5 include:

- 6 (1) Identification of potential watershed management areas
7 to be protected;
- 8 (2) Development of criteria for eligible watershed
9 management projects;
- 10 (3) Development of procedures and criteria for selecting
11 eligible watershed management projects;
- 12 (4) Designation of watershed management projects, including
13 the amount of funds needed for such projects;
- 14 (5) Development of an implementation plan for those
15 designated watershed management projects;
- 16 (6) Identification of potential sources of funding,
17 including appropriations, assessments, contribution,
18 grants, donations from public and private sources, and
19 recommendation of funding sources;
- 20 (7) Analysis of problems and issues encountered in the
21 equitable levy, assessment, and collection of the
22 watershed protection assessment on water users; and

1 (8) Any other issues designated by the board.

2 SECTION 4. The cost of the watershed protection master plan
3 shall be borne by some or all of the agencies that have
4 representation on the board by agreement or from other funding
5 sources as approved by the board.

6 SECTION 5. The board shall submit the watershed protection
7 master plan to the legislature no later than June 30, 2001.

8 SECTION 6. This Act shall take effect upon its approval.

9 This Act shall sunset on June 30, 2002.

APPROVED BY THE
GOVERNOR ON

MAY 30 2000